



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

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www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Lawrence I. Smith, PP, AICP
Dewberry
600 Parsippany Road, Suite 301
Parsippany, NJ 07054

Re: COASTAL JURISDICTIONAL DETERMINATION
Environmental Review - EDA and DCA/NEP Programs
DLUR File Number: 1503-08-0001.1
DLUR Activity Number: CDT140001
Grant Application ID Number: NCR39693
Applicant: Beach Haven Borough
Block(s) and Lot(s): [133, 2]
Beach Haven Borough, Ocean County

OCT 20 2014

Dear Mr. Smith:

This letter is in response to an application submitted by the above referenced applicant for funding under the Economic Development Authority's Neighborhood & Community Revitalization (NCR) and Small Business Loans (SBL) Programs and/or the Department of Community Affairs's Neighborhood Enhancement Program (NEP). This jurisdictional determination is for the proposed elevation and reconstruction of Beach Haven Borough Hall within the same footprint. The proposed project is located at above referenced site within the CAFRA zone of Beach Haven Borough, a non-qualifying municipality. Potentially applicable statutes include Waterfront Development Act (N.J.S.A. 12:5-3 et. seq.), Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et. seq.) and the Coastal Area Facility Review Act, CAFRA, (N.J.S.A. 13:9-1 et. seq.).

Based on a review of the information submitted and a review of information as maintained on the Department's Geographic Information System, the following determination is made:

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- ☒ **A Waterfront Development permit is not required.**
- ☐ **A Waterfront Development Permit will be required because:**
 - ☐ Work will be performed at or below (outshore) the Mean High Water Line.
 - ☐ Work will be performed within 100/500 feet of the MHWL outside the coastal area.

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- ☐ **A CAFRA permit is required.**
- ☒ **A CAFRA permit is not required** per N.J.A.C. 7:7-2.1(c)3 as the proposed project entails elevation and reconstruction, within the same footprint, of a development that was legally existing on and storm damaged subsequent to July 19, 1994.

Based on a review of the Coastal Wetlands Maps, the following determination is made:

- ☐ **Coastal Wetlands permit is required.** Coastal Wetlands are mapped on this site. Activity is proposed at or below the Upper Wetlands Boundary.

- (x) **Coastal Wetlands permit is not required.** Based on a review of the Coastal Wetlands Maps it is determined that there are not mapped wetlands on the site.
- () **Coastal Wetlands permit is not required.** Coastal Wetlands are mapped on this site. However, no activity is proposed at or below the Upper Wetlands Boundary.

In addition, based on the information provided, the project may be eligible for a Flood Hazard Area permit-by-rule pursuant to N.J.A.C. 7:13-7.2(a)3 provided all of the requirements at N.J.A.C. 7:13-7.2(a)3 are met.

This letter does not constitute a jurisdictional determination for the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. For assistance with the applicability of these statutes you are advised to contact the Division's Technical Support Center at (609)777-0454.

This letter does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law and is based on the information submitted in accordance with existing regulation. This determination shall be considered null and void if the submitted information is incorrect, site conditions or regulations change.

Please contact Jessica Cobb by e-mail at Jessica.Cobb@dep.nj.gov or (609) 633-2289 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Colleen Keller, Supervisor
Division of Land Use Regulation